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*Pat Himenes*

Pat Himenes

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** Samuelson et al.

**Docket No.:** APXX0006

**Serial No. :** 09/932,694

**Art Unit:** 2164

**Filed:** August 16, 2001

**Examiner:** Unknown

**Title:** Method and Apparatus for Using a Transaction System Involving Fungible, Ephemeral Commodities Including Electrical Power

### INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

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MAY 20 2004

**GROUP 3600**

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or  
(within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97(c) together with either a:
  - ☒ Certification under 37 CFR 1.97(e), or
  - ☐ a \$220.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
  - ☐ Certification under 37 CFR 1.97(e), and
  - ☐ a \$220.00 fee under 37 CFR 1.17(d)(2)(ii), and
  - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1)  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

- ( ) supplied by the inventor(s)
- ( ) supplied by an individual designated in §1.56(c)
- ( X ) in the attorney's file

Respectfully submitted,

A handwritten signature, likely "Michael Glenn", written in dark ink. The signature is stylized with a long, sweeping horizontal stroke that curves upwards at the end.

Michael Glenn  
Reg. No. 30,176

**Customer Number 22862**



## **CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10**

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Date of Deposit: May 12, 2004

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Commissioner of Patents and Trademarks,

Alexandria, VA 22313-1450

Pat Himenes

Attorney Docket No: APXX0006

- PTO 1449 form (1)
- Information Disclosure Statement (2)
- Certification for IDS CFR 1.97(e) (2)
- Intl. Search Report (copy) (5)
- References (12)
- Return Postcard

**Customer No. 22862**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
Samuelson et al.

Atty Docket No.: APXX0006

Serial No. 09/932,694

Group: 2164

Filed: August 16, 2001

Examiner: Unassigned

Title: METHOD AND APPARATUS FOR USING A TRANSACTION SYSTEM INVOLVING FUNGIBLE,  
EPHEMERAL COMMODITIES INCLUDING ELECTRICAL POWER  
Date: May 12, 2004

**CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.97(e)**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A certification is being made for the Information Disclosure Statement accompanying this certification.

**CERTIFICATION**

I, the person signing below, certify

( X ) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. (37 CFR 1.97(e)(1))

( ) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

The person making this certification is the attorney who signs below on the basis of the information:

( X ) The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1445 (Order No. APXX0006). A copy of this sheet is enclosed for accounting purposes.

(X) Applicant(s) submit herewith Form PTO 1449 -- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.25.

( ) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 156(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

Respectfully Submitted,



Michael Glenn  
Attorney For Applicant  
Reg. No. 30,176

Customer No. 22862



Attorney Docket No. APXX0006

Form 1449 (Modified)

**Information Disclosure  
Statement By Applicant**

Atty. Docket No.: APXX0006

Serial No.: 09/932,694

Applicant: SAMUELSON et al.

Examiner: Unassigned

Filing Date: 08/16/2001

Group: 2164

**U.S. Patent Documents**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub- class	Filing Date
	A						

**Foreign Patent or Published Foreign Patent Application**

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub- class	Translation	
							Yes	No
	B							

**Other Documents**

Examiner Initial	No.	Author, TitlePlace (e.g. Journal) of Publication, Date,
	C	Automated Power Exchange, Inc. Petitioner v Federal Energy Regulatory Commission, Respondent, Pacific Gas and Electric Company, et al., Intervenor No. 98-1415 12/3/1999 (argued) 3/7/2000 (decided)
	D	Automated Power Exchange Launches Apx Market 2000 – A New Standard in Electricity Market e-commerce (APX news release )
	E	Distribution Factor Task – Book of Flowgates - March 19, 1997
	F	Distribution Factor Task Force – Scope of the DFTF July 3, 2000
	G	Discussion Paper on “Aligning Transmission Reservations and Energy Schedules to Actual Flows,” Prepared by NERC November 1998
	H	Discussion Paper on “Aligning Transmission Reservations and Energy Schedules to Actual Flows,” Comments to Date
	I	Ellis, APX Opens Electricity Markets and Announces 35 Initial Participants,” WBE March 31, 1998
	J	GAPP Experiment Final Report - General Agreement on Parallel Paths Experiment,” pp 1-35 August 31, 1999
	K	Interchange Distribution Calculator Self-Directed Working Team – IDCSDWT July 3, 2000
	L	Interim Interchange Distribution Calculator Task Force-DCTF
	M	Public Utilities Fortnightly “Federal Electric Restructuring” February 1, 2000
	N	Samuelson, R., “Prior Work on Flow-Based Transmission Management December 13, 1999

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.